

## SENATE BILL No. 65

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-7-4-311.

**Synopsis:** Planning departments. Requires the county commissioners (rather than the area plan commission) to appoint the executive director of the planning department.

**Effective:** July 1, 2004.

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**Jackman**

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November 21, 2003, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## SENATE BILL No. 65

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 36-7-4-311, AS AMENDED BY P.L.165-2003,  
2       SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2004]: Sec. 311. (a) ADVISORY. The advisory plan  
4       commission may appoint, prescribe the duties, and fix the  
5       compensation of such employees as are necessary for the discharge of  
6       the duties of the commission. This compensation must be in conformity  
7       with salaries and compensation fixed up to that time by the fiscal body  
8       of the municipality or county, as the case may be. The commission may  
9       contract for special or temporary services and any professional counsel.  
10       (b) AREA. ~~The area plan commission shall appoint an executive~~  
11       ~~director for the planning department and fix the director's~~  
12       ~~compensation. To be qualified for the position, the executive director~~  
13       ~~must have training and experience in the field of planning and zoning.~~  
14       ~~The commission may not give any consideration to political affiliation~~  
15       ~~in the appointment of the executive director. When there is a vacancy~~  
16       ~~in the position of executive director of the planning department,~~  
17       ~~the area plan commission shall give to the county commissioners~~

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1 the name of an individual recommended for the position. The  
2 county commissioners shall appoint an executive director. The  
3 appointee is not required to be the individual recommended by the  
4 area plan commission. The county commissioners may remove the  
5 executive director. The county commissioners shall fix the  
6 executive director's compensation. To be qualified for the position,  
7 an individual must have training and experience in the field of  
8 planning and zoning. In appointing the executive director, the  
9 county commissioners may not give any consideration to the  
10 political affiliation of the applicant.

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